

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
MAY 2, 1962

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, May 2, 1962. Councilmen Brown, Culbertson, Dow, Ullmann and Katzakian. (Mayor) present. None absent.

Also present: City Manager Graves, Planning Director Rodgers, Administrative Assistant Carlton and City Attorney Mullen.

The minutes of April 4, 1962, April 11, 1962, April 17, 1962 and April 18, 1962 were approved as Written and mailed on motion of Councilman Culbertson, Ullmann second, after making the following corrections:

In the minutes of April 4, 1962, change the time of meeting in the first paragraph from 7 p.m. to 8 p.m.

In the minutes of April 17, 1962, make the following changes:

1. In the first paragraph insert the name "Mitchell" between "Katzakian" and "Ullmann".
2. Change the last sentence in the paragraph entitled "E. Wall Appeal Re Use Permit for Beauty Salon" to "The motion was seconded by Councilman Ullmann and carried by the following vote:"
3. In the second to the last sentence on page 3 of said minutes, delete the word "only" and change the word "lots" to "home sales".
4. In the next to the last paragraph in said minutes, add to the sentence, "Nominations for Mayor Pro Tempore were then closed by unanimous vote on motion of Councilman Culbertson, Katzakian second" the words, "and Councilman Dow was elected Mayor Pro Tempore by unanimous vote."

PUBLIC HEARINGS

PROTECTIVE
LANDOWNERS

Mr. Roy Weaver, Attorney at Law, 1149 North Eldorado Street, Stockton, presented a letter from the Protective Landowners, signed by Richard Neuhardt, 215 Almond Drive, Lodi; he asked that the letter be read to the Council. City Attorney Mullen asked Mr. Weaver what the "Protective Landowners" was and how many were in the group. Mr. Weaver said that the group was not incorporated and that it had between 40 and 200 members, but he would not divulge the names of persons belonging to the Landowners group. The City Attorney noted the contents of the letter, which was a request for a copy of plans and cost estimates on the proposed storm drainage system, and stated that the letter was an administrative matter which should be taken care of by the City Manager and that since it was

Minutes of May 2, 1962, continued

an administrative matter, it need not be read to the Council. City Manager Graves said that the City Administrative staff has repeatedly offered to give information concerning the storm drainage system to anyone who asked. He stated that he would write a letter of reply to the Protective Landowners and would send a copy thereof to Mr. Weaver.

CAMANACHE DAM
PROJECT

RES. NO. 2536
ADOPTED

County Supervisor Vernon Lehman addressed the Council concerning the hearings in Washington, D.C., on May 14 or 15, including \$3,000,000 appropriation for Camanche Dam and \$400,000 for the Bear Creek project. Since the Camanche Dam flood control project is vitally important to Lodi, he asked the Council to adopt a resolution requesting Congressional action thereon and said it would also be helpful if the City would send a representative to the hearings. Councilman Brown moved the adoption of Resolution No. 2536 requesting the Congress of the United States to appropriate \$3,000,000 for the construction of Camanche Dam. The motion was seconded by Councilman Ullmann and carried unanimously. Since Lodi is the only city in the area of the Camanche Dam project, it was felt that having a local representative at the hearings was very important. These hearings are crucial because the initial appropriations are hardest to get. Councilman Brown moved that Mayor Katzakian represent the City of Lodi at the hearings. The motion was seconded by Councilman Dow. The Mayor felt that he should step down and recommended that Councilman Culbertson represent the City since he had represented the City before Congressional committees in January and would be able to accomplish more with his experience. Councilman Brown withdrew his motion and Councilman Dow withdrew his second. Councilman Dow then moved that the City be represented by Councilman Culbertson at the hearings on Camanche Dam project in Washington, D. C. The motion was seconded by Councilman Brown and carried by unanimous vote.

PLANNING COMMISSION

ACTIONS

The City Manager reported the following actions of the Planning Commission:

1. Recommended approval of the request of Mrs. Ruth Ludis for a County use permit to operate a fruit stand on property at the northwest corner of Cherokee Lane and Almond Drive.
2. Approved the request of Mr. Herb Helwig for a use permit to erect a double faced sign on a store building at 1030 South Hutchins Street in the C-1 neighborhood commercial zone.
3. Denied the request of Mr. William Rempfer for a zoning adjustment to permit establishment of a political campaign headquarters in a residential building located at 833 West Lodi Avenue in the R-2 residential zone.
4. Approved the modification of a use permit for Dr. Gordon Roget to establish an off street parking lot on the east half of the property at 510 South Fairmont Avenue in the R-3 residential zone.

Minutes of May 2, 1962, continued

OUTSIDE WATER
SERVICE NW COR.
CHEROKEE LANE
AND ALMOND DR.

In regard to Item No. 1, Mr. Graves said that Mr. Ed Kundert was the owner of the property at the northwest corner of Cherokee Lane and Almond Drive on which the fruit stand was to be operated. Mr. Kundert is asking that the City furnish water to this property, and he has stated that he is willing to have the property annexed at the request of the City. Mr. Graves stated that he had expected to receive a letter before the Council meeting (giving the usual conditions whereby the City will give outside water service) from Mr. Kundert who had said the need was urgent. Councilman Brown moved that the request for outside water service for the property at the northwest corner of Cherokee Lane and Almond Drive be granted subject to receipt of a letter from Mr. Kundert outlining conditions satisfactory to the City under which he would receive the water. The motion was seconded by Councilman Ullmann and carried.

City Manager Graves remarked that granting such a request was not setting a precedent, but that the Council must weigh each request individually.

AMENDMENTS TO
SUBDIVISION
ORDINANCE

The Planning Commission recommended that the Subdivision Ordinance be amended with respect to the following points:

1. "An instrument of credit" should be authorized as an alternate procedure to the cash deposit or surety bond in guaranteeing the installation of street and utility improvements within a subdivision.
2. The minimum right of way width for an expressway street should be increased from 100 feet to 110 feet.
3. The maximum length of a cul-de-sac street should be increased from 300 feet to 400 feet.
4. The minimum width of the standard residential street should be reduced from 55 feet to 50 feet. A residential collector street retaining the 55 foot width would be added to the Ordinance for situations requiring additional capacity in the street.

On motion of Councilman Dow, Culbertson second, the recommendation was set for public hearing on June 6, 1962.

RECREATION COMMISSION

FESTIVAL
CONTRACT

In regard to the renewal of the agreement with the Grape Festival Association providing for an annual increase of \$500 in the rental of Festival property by the City from \$2,500 per year to \$3,000, the City Manager said he had word from the Secretary-Manager of the Association that the contract was in the hands of the County Counsel so was not ready for presentation. Councilman Culbertson moved that a decision on the renewal be postponed to the meeting of May 16, 1962. Motion was seconded by Councilman Ullmann and carried.

Minutes of May 2, 1962, continued

FEEs AT
BALL PARK

The Recreation Commission recommended that the fees at Lawrence Park Ball Park be increased by \$5.00 in order to pay for the cost of having an employee at the ball park during the time it is being used. In the past an employee has been given compensatory time off for this service, but this has been a hardship on the department because of the work load. On motion of Councilman Culbertson, Brown second, the City Council unanimously approved the increase in ball park rates as requested.

COMMUNICATIONS

OVERCHARGE ON
GARBAGE RATES

A communication was read from August Mattler, 1306 S. Lee Avenue, requesting refund due to overcharge on garbage rates since July 1957. The overcharge for the past five years totalled \$19.20. Councilman Brown moved that the letter be referred to the City Manager and the City Attorney for action. Motion was seconded by Councilman Ullmann and carried.

CH. OF COM.RE
WATER USE

The Lodi District Chamber of Commerce Board of Directors through its Lodi District Beautification Committee suggested to the City Council that because the non-metered water service seems clearly a factor in the beauty of lawns and flowers in the City, it seems to them a wiser procedure to raise the flat rate which is charged water users rather than to institute the metering of water. The committee offered its services in a campaign designed to cut down on wasteful use of water. It was mentioned that water meters for residences had not been considered by the Council and that the Utility Department had given considerable publicity to the conservation of water during the past summer season.

ABC LICENSE

Notice of application for Alcoholic Beverage License, On-Sale Beer, Garry Seefried, the Hiway, 7 South Sacramento Street.

FESTIVAL
QUEEN TO
WORLD'S FAIR

RES. NO. 2537
ADOPTED

Mayor Katzakian presented a proposed resolution prepared by the Secretary-Manager of the Grape Festival Association by which the Council supports the action of the Board of Directors of the Festival Association in announcing their intention of sending the 1962 Grape Festival Queen to the World's Fair in Seattle as a gesture of good will and as a means of publicizing the City of Lodi. On motion of Councilman Culbertson, Dow second, the City Council adopted Resolution No. 2537 endorsing the action of the Festival Association.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$201,561.05 were approved on motion of Councilman Brown, Ullmann second, with Councilman Dow abstaining from the vote because payments to Dow's Nursery were included in the claims, covering purchases made prior to the election.

Minutes of May 2, 1962, continued

WITHDRAW
WESTDALE ADDN
FROM WRCFPD

RES NO. 2538
ADOPTED

Annexation of the Westdale Addition to the City of Lodi having been completed, Councilman Brown moved that Resolution No. 2538 withdrawing the Addition from the Woodbridge Rural County Fire Protection District be adopted. The motion was seconded by Councilman Ullmann and carried by unanimous vote.

PARALLEL
PARKING ON
SACRAMENTO ST.
BTW PINE AND
OAK STREETS

Mr. Graves stated that the Chief of Police and the Department of Public Works concurred in the recommendation of the Lodi District Safety Council that parallel parking be established on the west side of Sacramento Street between Pine Street and Oak Street. After some discussion of other streets with diagonal parking, it was moved by Councilman Culbertson, Dow second, that the recommendation of the Safety Council be approved establishing parallel parking on the west side of Sacramento Street between Pine and Oak Streets and, further, that other streets in the downtown area with diagonal parking be studied. The motion carried by unanimous vote.

SANITARY
SEWER ITEM
DELETED FROM
BUDGET

The City Manager presented a request from the Director of Public Works to eliminate from the present budget the construction of a sanitary sewer in Kettleman Lane from the Frontage Road east to Beckman Road. After further study, the Director feels that this installation will not be necessary because if any property on the north side of Kettleman and to the east of the frontage road (Beckman Road) requires sanitary facilities, the probabilities are that they can be constructed further to the north through easements or streets that will later be provided. On motion of Councilman Culbertson, Ullmann second, the City Council deleted the above mentioned sanitary sewer line from the budget.

CORRECTION
OF UTILITIES
CONTRACTS

City Manager Graves reported that when the City adopted its present policy concerning the costs of utilities for new subdivisions (in 1955), it had provided for a transition policy in order to avoid hardship to subdividers who were in the process of subdividing at that time. The old policy had provided for the refund of deposits for sanitary sewer, water and electrical facilities. The new policy provided for refund of deposits on electrical facilities only. The transition policy (which was on subdivision maps which had been filed by May 1, 1955 and for which the deposit had been made by August 1, 1955) provided that refund would be made on all deposits for a period of five years, and after the five-year period, refund would be made only on the electrical facilities deposit still outstanding. Eight contracts for refunds had been made under the transition policy, but of these contracts, five were in error since they did not provide for the refund of electric deposit beyond the five-year period. The City Manager asked that the erroneous contracts be amended so that the mistake could be rectified. Councilman Culbertson agreed that all the subdividers under the interim policy should have been treated alike, and he moved that the five contracts which were in error be amended so as to provide for the refund of electric deposits as intended under the City's policy. The motion was seconded by Councilman Brown and carried by unanimous vote.

Minutes of May 2, 1962, continued

99 FREEWAY
BTW LODI AND
STOCKTON

RES. NO. 2539
ADOPTED

In reference to the suggestion made at the previous Council meeting that a resolution be sent to State officials urging the completion of 99 Highway as a freeway south to the Calaveras River, the City Manager stated that Mr. John Meyer, District Engineer for the State Division of Highways, had reported that funds were not available for such a project. The Council members expressed themselves as being aware of the hazardous crossings of the Highway between Lodi and Stockton and Councilman Culbertson moved the adoption of Resolution No. 2539 expressing the City of Lodi's interest in the expeditious construction of 99 Highway as a freeway between Lodi and the Calaveras River. The motion was seconded by Councilman Brown and carried unanimously.

ORDINANCES

ANNEX NORTH
LOMA DR. ADDN.

ORD. NO. 722
ADOPTED

ORDINANCE NO. 722, entitled "AN ORDINANCE APPROVING THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY, DESIGNATED 'NORTH LOMA DRIVE ADDITION' TO THE CITY OF LODI," having been introduced in regularly adjourned meeting of April 17, 1962, was brought up for passage on motion of Councilman Brown, Ullmann second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW,
ULLMANN and KATZAKIAN

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

INDUSTRIAL
ZONING W OF
FREEWAY BTW
VICTOR RD AND
LODI AVENUE

ORD. NO. 723
ADOPTED

ORDINANCE NO. 723, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING CERTAIN PROPERTY WEST OF THE 99 FREEWAY BETWEEN VICTOR ROAD AND THE CENTRAL CALIFORNIA TRACTION COMPANY RAILROAD TO BE IN THE M INDUSTRIAL ZONE," having been introduced in regularly adjourned meeting of April 17, 1962, was brought up for passage on motion of Councilman Ullmann, Culbertson second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW,
ULLMANN and KATZAKIAN

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

MR. HOGGATT
RE LETTER OF
CREDIT

Mr. Jack Hoggatt of the Farmers and Merchants Bank said he was interested in knowing more about the "letter of credit" which would be permitted under a proposed amendment to the Subdivision Ordinance as a guarantee for the installation of street and utility improvements in a subdivision. An explanation of the letter of credit and the reasons for proposing its use were given to Mr. Hoggatt. It was decided that the banks should be apprised of the proposed amendment before the public hearing on June 6.

The City Council then adjourned.

Beatrice Garibaldi
ATTEST: BEATRICE GARIBALDI
City Clerk